HOKE SMITH'S FIRST REPORT.

REVIEW OF THE OPERATIONS OF THE INTERIOR DEPARTMENT.

Ma Defends the Order Suspending Pension ers, and Hays that the Stoppage of Fraudulent Pausions in Virginia, New Mexico, and fown Maved to the Government an Amount Equal to the Expense of the Estire Force of Special Examiners-History of the Opening of the Cherokee Outlet.

WASHINGTON, Dec. 1.—The first annual report of Secretary Hoke Smith reviews the opera-tions of the General Land Office, the Pension Bureau, the Census Office, the Bureau of Indian Affairs, Patents, Geological Survey, Edueation, and Pacific Railroads, and a number of

Important recommendations are made. In discussing the authort of pensions the Beeretary calls attention to the frauds discovered by the special examiners at Norfolk, Va., and in New Mexico and Jowa. He says that the pensions in the first two instances had been allowed upon testimony manufactured and forged by the claim agents. In Iowa the Examining Boards had been systematically tampered with by the claim agent. The stoppage of these illegal pensions in the three places has saved to the Government an amount equal to the expense of the entire force of apedal examiners. When it is remembered that this work of the examiners had been in progress for six mentile only, and that payment of pensions would have continued for an average of nearly twenty years, the enormous saving to the Government can be realized. The re-port adds: "Besides, these pensious were being obtained through fraud and how can public money be better spent than to prevent dishonesty?

The report reviews the decision of Assistant Becretary Bussey in the Weike case and also the decision rendered on May 27 in the Bennettense. Then, referring to the order revok-ing rule 104, the report says:

"In pursuance of this order a Board of Reperienced men in the Pension Bureau, with instructions to examine the cases allowed under the act of June 27, 1890, and to cull out such as had no legal tasis to rest upon. In eases where it was believed that the pensions could not be sustained and another medical examination was thought necessary, the payment of the pensions was ordered to be suspended pending investigation. This was done by the Commissioner of Pensions, in pursuance of the uniform practice of the Bureau as it had existed almost from the organization thereof. The pensioner was not dropped from the rolls, but the payment of his pension was suspended, and the usual sixty days' notice was given to the pensioner in which he could ask for a medical examination, orsupply further evidence of his right to a pension. The examination of his proof having disclosed that he was not entitled to a pension, he was told that the payment of his pension he was told that the payment of his pension was suspended until he could put on record a case which would authorize payment according to the terms of the act of Congress. It was found that many thus suspended were able to supply the proof, when notice was given that proof was required; and to those payment was at once resumed. The former practice in regard to suspensions was also modified in cases where the proof on the disclosed the fact that the pensioner was entitled to some rating, although not to the rating which had been allowed him."

lowed him.

The report denies that the purpose has ever existed of an extreme and unceasonable manner of suspending pensioners, and it also denies that any abandonment has taken there of the policy of removing from the bension rolls those who are not legally thereon.

Regarding the census, the report says that until the resignation of Mr. Porter, on July 31, the Secretary supposed that the census would be closed by Lea 31, but a conference with the chiefs of the various divisions satisfied him that a radical change was necessary to im-

chiefs of the various divisions satisfied him that a radical change was necessary to improve the census and to bring it to a completion. The Secretary says that he did not discover any purpose on the part of those connected with the census to bring it to a completion at all. He refers to the selection of Mr. Carroll it. Wright, after a careful investigation to determine who was nest suited for the work and says that he now feels confident that every effort is being conscientiously made to bring the census to a dose and to render it as useful as possible. The report indicates that the census will be practically closedby July 1, 1804, and that Someton will be needed to complete it and to bind and otherwise prepare its volumes for distribution.

nes for distribution. On the question of public timber and forest. On the question of public timber and forest, the report says that present legislation is inadequate for the legislation legislation is indequate for the legislation are procurement of public timber to supply the actual necessities of the people dependent thereon, and at the same time develop the national reserves of the public lands, and to project and preserve the forest for the conservation of the water supply and the needs of the future. Legislation is recommended to authorize the sale of such timber as can be properly removed to furnish a fund sufficient to insugurate a thorough system of inspection, and the selection of a forestry commission, in connection with the forestry commission, in connection with the Land Office, working toward the education and use in this work of men the rengality suited for it.

The report gives the history of the eneming of the Cherokee funiet, and describes fully the booth system adopted at the opening, it explains that the act of congress required the lands to be disposed of under the homestead and town sits laws only, and although many methods of processing were suggested as deands to be disposed of under the homestead and town sits laws only, and although many methods of procedure were suggested as desirable in order to prevent trouble, the method adopted appeared to be the only practicable one which would not conflict with some provision of the homestend and rown site laws. The rush of applicants for certificates was unprecedented and greatly in excess of the number extracted as soon as it was found that the force at work could not supply all the applicants with hooth certificates, additional help was comployed, and all that offered obtained certificates before the hour of opening. The hardsains that were incurred by another that the crowd was so large, for in excess of the land to be obtained. So care of the department could have lessened the intense heat or prevented the stiffing dust. The partial could have lessened the intense heat or prevented the stiffing dust. The scarcity of water was due to an extended drought, which had dried up the usual water supply, and it was impossible to place all the booths at leastpon suitable for entry, and it was impossible to place all the booths at leastpon suitable for entry, and to find sufficient water at points where crewing gatered to the number of twenty thousand. If was an immense, uncontrollable crowd, and it was impossible for the depriment to provide at every large for the wants of such a throng, who had the option of going and coming to any place they saw ill. The plan adopted was curred to a successful conclusion, and prevented to a successful conclusion, and prevented to the accessful to the hooth system has done a vast amount of good in keeping out things, than dy not a free determined to go the a toront of extending and an automatic of good in keeping out things, than dy not a free and while one of the hoot of the hone and a vast amount of good in keeping out things. The distribution of control of the hone as a water and out of good in keeping out things. The distribution of the demands and water and out of good in keeping out. amount of good in keeping out lilegal claim-ants, and will long continue to do so. The dif-ficulty experienced in registration at the booths was lar overbalanced by the check it was upon fraud."

booths was far overbalanced by the check it was upon fraud."

The report says that a number of small but valuable tracts of land will be ready for softlement within the first two years and that it is impossible for the department to prevent trouble without additional legislation. It recommends the adeption of a plan, by accommends the adeption of a plan, by accommending of each particular section, as a sunction or otherwise, to determine it as whom the privilege of bidding she old be extended, if the land is disposed of by auction factoring to the fact that the realizeds in Chialanma have discriminated in favor of the Indian silotment towns and against the inversement towns the report urges the passage of a bid, which has already been infrasluced in Congress, the purpose of which is to compet railroads in Territories to treat with fairness the people upon their lines and to prevent the possibility of discrimination favorable to spectual time report says that a fair examination of

Unative infecests.

The report ways that a fair examination of the work of the inclina Bureau fur-Bishes pred in surport of the wisdom of the voice which controls the administration of Indian affairs. Slowly but Steady, the wards of the motion are bong ad-vanced to a condition subset to editionable. It is a transfer auppose that the indians are decreasing in number. Trival wars and wars with the whites having consel they are in-tenants water than increases. The sub-

Civil service examinations the report says, do not furnish insome information for the selection of total superinteriority of indeas schools. Expective and other qualities are infinitely in to important than recorded in the schleres should be solutional without togors to politics. They similed the chosen by the general superintegate, not approximately the present the politics. They similed the three states of the work. The exil results of obtaining superintendents through civil service examination has not so sions.

far affected the schools, because, as soon as it was determined to bring these places within the classified service, all the vacancies, were hastily filled to avoid the necessity of obtaining superintendents in that way. It is suggested that the teachers of the Indiffe schools should be selected in a different manner. The Civil Service Commission and the General Superintendent of the schools should join in perfecting a pan for the conduct of these examinations by the local superintendents and by others engaged in school work, and experience as well as mere technical knowledge should be considered in determining proper selection. Their tenure of office should be as permanent as if they were within the classified service.

Referring to the Commission to frest with

permanent as if they were within the classified service.

Referring to the Commission to freat with the five civilized tribes, the report calls attention to the thickly settled condition of the country immediately contiguous to the findian Territors, which has rendered it impossible to keep out intruders. The Territory is traversed by railroads, the progress of civilization has crossed its borders, and the time must seen come when, for the protection of the people within its limits, the laws of the United States must be made applicable therets. The report urges the passage of the hill now pending before Congress extending the jurisdiction of the United States Court in the Indian Territory so as to include the right of removal of all cases where local profidice is shown, without regard to the efficiency of the parties.

The report takes up the present condition of

of removal of all cases where local prefidice is shown, without regard to the citizenship of the parties.

The report takes up the present condition of legislation applicable to Indian depretation claims, and shows that unless the law is changed the Treasury is liable to be drained to the extent of many millions of dollars to pay these claims of doubtful propriety.

The report urges that additional buildings be constructed for the use of the Interior Department. The Patent Office should occupy the whole of the building erseted for it, while the other bureaus, with the exception of the Tension Bureau, should be provided with permanent suitable quarters. Legislation is also urged which will require the Secretary of War to detail troops to guard and protect the pationsi parks and forest reservations.

The condition of the Territories of New Mexico are commended for Starchood.

The report closes with the following statement upon expenditures: Although I believe that many of the improvements proposed by the various bureaus are wise, and should in future be carried out, set, in the estimate of expenditures for the Interior Department furnished to the Secretary of the Treasury. I rejected a great majority of them. The strictest connomy should at the present time control the dispursement of public money, and I could not ask an appropriation of any sum not immediately necessary for the conduct of public business."

MALFEASANCE AND COLLUSION.

The Aldermen Who Gave the Union Ratt. After the Brooklyn Aftlermen had granted a valuable franchise to the Union Railway Com-pany, nearly a year ago, without any compensation, although the Union Street Railway Company was willing to pay \$30,000 for the privileges, John Adamson trought suit in the Supreme Court to have the franchise set aside. Justice Cutlen granted an injunction restraining the favored company from constructing the road. An appeal was taken to the General Term, and the decision was handed down yesterday. It upholds Justice Cullen, and is scathing in its denunctation of the Aldermen their action in the matter. This is a part the decision, which was written by Justice

for their action in the matter. This is a part of the decision, which was written by Justice Dykman.

Thainly it was a case of malfeasance, and, judged by the motives which actuate men, the inference is easily drawn that the action was collusive. If the object was not to favor the defendant corporation the act is inexplicable. That haver was a pseuniary interest to the mainleipaility, and the act was a fraind upon the city. Official misconduct and bad faith are so near the domain of fraud that the line of partition is indistinguishande, while it is difficult to give a precise definition of fraid, yet in its broad significance it includes all acts and omissions which involve a treach of legal duty, injurious to others. In fact, bothe eye of the ordinary observer, the fraid here is palipable. One company offered \$50,000 for the franchise and the offer was refused, and the other offered nothing and received the consecut. While there may possibly be a case where circumstances would justify such a course, yet this record discloses no such justification. We concur fully with the trial judge that the prevention of the realization of money by the city is equivalent to waste of the public funds of the municipality. In fact, we concur in the opinion of the trial Judge entirely, and deem further elisboration unnecessary. In conclusion, we say, the action of the officials was filled, was foul, and fraudulent, and the judgment should be affirmed with costs."

THE ABARD HIGH ENOUGH.

A Decision in Favor of Brooklyn in the Case

of the Water Company Purchase. The General Term of the Supreme Court has confirmed the report of the Commissioners who said that the city of Brooklyn should pay \$570,000 to the Long Island Water Supply Company for its franchise and property. When the award was made two of the Commissioners dissented, and were in favor of paying the company considerably more than \$1.000,000. The company rejused to accept the award, and on its application Supremo Court Justice Prait set it aside and ordered Term, and yesterday the decision of Justices Barnard and Dykman was handed down, reversing the order of Justice Fratt and confirming the repeat of the Commission.

The gist of the General Term's decision is that the Long Island supply Company has not the exclusive right to surriv water to the town of New Lots now the Twenty-sixth ward of Brooklyn the company will carry the case to the Commission of the property by the city for \$1,125.

It was in a property by the city for \$1,125.

Got in the clean days of Mayor Chapin's admissivation that dustice-elect W. J. Garnor made himself prominent. Jiss contention that the property was not worth half that amount

the property was not worth half that has been upheld so far by the courts.

Says He Will He Pleased to Consider Alde man Flynn an Eiemy.

Alderman Cornelius Flynn, the bir representative of the First district in the Common Council, was not at home to reporters yesterday, but those who did see him said that he had a badly cut head. His wounds are said to be the result of an 'argument" with ex-Alder-

be the result of an "argument" with ex-Alderman Daniel E. Dawling in McKeever's saloon, in Vesey street, near Washington, on Thanksgiving evening.

This Washington Market argument grew out of a remark alleged to have been made by Alderman Flynn reflecting on Mayor Giroy lie is quated as having said. "Mayor Giroy is a thickania loafer," and when ex-Alderman Poyling would not subscribe to this sentiment, to have declared Dowling to be a "damned trimmer. This was too much for Dowling. Hence Flynn's head.

"If Alderman Flynn has any grievance against med do not know what it is," said Mayor Gilroy resterday. "I want to say, though, that if he has I am glad to know it, and consider a highly creditable to myself that I have his enouty. To have the centity of such men as he I think would be a credit to and the entity. To figure the entity of the men as he I think would be a credit to

A woman orchestral conductor is going to

A Woman to Conduct an Orchesten.

try for laurels at Chickering Hall on Saturday evening, Dec. it Miss I mma it. Steiner claims to be the only woman in America who has succonstilly composed, scored, and directed operatic productions. Miss Steiner will personally direct an orchestra composed of forty picked musicians from the Soudi and Thomas picked missionns from the Soidl and Thomas or the first Time patentesses are Mrs. Roger A. Frror. Mrs. William T. Puil, Mrs. Charles Avery boremas, and Jirs A. B. De Frece. The pattons are the fire. Mirrar Haistend, Dr. E. Ogden Baremus, tod. A. E. De Frece. Mr. George W. Sweel, and others. Miss Steiner is a member of the Professional Websan's Longine, and a receiption committee formula of learning members will sent the audience. Miss. Jan. has head and chek. Augt Louise Eldredge, and about lifteen other members are on this committee.

School and C. Hege Convention,

Twenty-six colleges, twenty-one schools, seven seminaries, and four educational dustitotions of a mis-cilaneous character were indicated and the actual contract of the Association of Colleges and Preparatory is trained in the handless had customed in the Middle States and Maryland in the actual contract in the Association of Colleges and Preparatory is trained in the handless had authority by Schools in the Middle States and Maryland held resterned in the second market in the successor company has no right to construct any mary the fact alternative will be a preparatory of the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will also be the second that all these Indian children will be the second that all the second that all these Indian children will be the second that all these Indian children will be the second that all these Indian children will be the second that all these Indian children will be the second that all the second that all the second that all the second that dent flaw of Columbia welcomed the dele-gates. The subject, "Should the degree of flachedor of Arts be conferred an shidents who have studied neither Latin nor freek?" and the question of the advisability of substituting modern languages for Greek and Latin, were dismissed by various delegates, and Freeding. Taxing of Varian read a pame on "The Nogle-1" of the Student is Bereat Lin attonal Theory," President and Mrs. Low received the delegates in the excellen-

I ank Officers Plead Not Guilty. President Blant and Directors Ronald T. McDonald, Andrew L. Soulard, Adolph L. Kallscher bimon Ottenberg, and Charles F. Selver, Frederick A. Kur-beeld, and F.gill-Frankel of the Madison Stinate Hant all planted not guilfy pertenday in the General Sections. NEW PRICES OF STEEL RAILS. THE COMBINE CAN UNDERSELL ENG-

LAND ON THIS COAST

Even Under the Wilson Bill, but Not on the Pacific Coast and the Guil-As to Fron Benns, Caracyte Makes the Price, and Competition Mas a Hard Row to Boe, After many meetings and discussions that roused much acrimeny, a new steel-rail combine has been formed, and the prices for the oming year have been fixed. The schedule was not fixed under a written agreement, but is what is known as an "understanding" be tween five great concerns, representing nearly

For stee, rails at the mills, including Pittsburgh \$24.00
For stee, rails at the mills in Chicago 25.00
For steel rails at this water 24.80

schedule is as follows:

It may be stated that all representatives at the last meeting, when the combine was formed, are satisfied that all will hold to these figures. The concerns represented are the Cambria Iron Company, the Carnegle Company, the Inchawanna Iron and Steel Company, the Bethlehem Iron Company, and the Illinois Steel Company. These concerns composed the combine formed three years ago to end Jan. 1, 1804. The new combine is for the coming year alone. As the prices are fixed, it will not be troubled by competition from foreign manufacturers under the new tariff bill. except on the Pacific coast and in the Guif

The Wilson bill fixes an ad valorem duty of 25 per cent, on steel rails. English rails now worth \$18 would, therefore, cost \$24.75, laid down in New York, including freight and the down in New York, including freight and the cost of handling. This price would probably be a trifle higher, but, as matters will stand if the Wilson bill is passed, the combine will be able to meet all competition from the other side, except in the districts named.

English rails van be sold cheaper on the Pacilic coast under the new tariff rating, hecause of the advantage in freight rates. The combine cannot meet the treight bids made by ocean carriers from England to San Francisco. The same is true of the Gulf markets. Cotton steamers will take return cargoes of rails at very low rates.

Cotton steamers will take return cargoes of rails at very low rates.

The last rail combine fixed only the allotment of product for each of the five concerns in the deal. Several weeks ago, as The Several the combine of the five concerns to did, Mr. Carpegie made a cut of \$5 in the price with the intention of forcing the other concerns to come to him, for terms under which the new combine would be arranged. He was immediately met by one of the companies with a cut of \$7\$, and then he quit. Several long meetings were held in NewYork and finally. Mr. arrectle was willing to cuter the newbombine. Carnegle was willing to enter the newbombine on such terms as he could get with the consent of the others. The fight has finally ended in an amicable adjustment of all differences and an agreement which will last during the year's life of the combine.

an amicable adjustment of all differences and an amicable adjustment of all differences and in a state of the combine.

Mr. Carnegie, however, has kept the manufacturers of structural material in a state of worriment. They have no combine like the rail manufacturers. Mr. Carnegie has been cutting the prices on beams for more than a year. He has been able to do this because of certain advantages is the way of manufacture. He has made a study of lacor-saying machinery, and in his mills at littsburgh may be found the latest results of experiments in this line. It is generally understood that the Carnegie mills can turn out heams at lower prices than any concern in this country. Mr. W. O. Fayerweather, Treasurer of the Passaic Rolling Mill company, admitted this much yesterday. He said that the market now is in a state of stagnation, and if the Wilson bill becomes a law manufacturers of beams would profuse by becomedled to close their mills under a schedule by which legits beams could be landed here at 1.5 cents. The market prices now are a triffe above that figure.

On the other hand, Mr. Ahram S. Hewitt of Cooper, Hewitt A. Co. sars that the new tariff bill will not in our the manufacture of beams in this country, are any other branch of te ironh industry, so far as be has been able to discover. He ways that Mr. Carnegie has cut the prices until the market for beams would not be affected by innortations under the schedule of the Wilson bill.

CABLE SYSTEM IMPROVEMENTS.

Signal Boxes f.on Which to Telegraph News of Accidents-" Lazy Chain " Engines. The dangers resulting from runaway cars and the delays due to broken caples on the Broadway line will soon be greatly obviated by means of a series of automatic electric signal stations to be placed along the tracks. Chief Engineer G. W. McNulty was seen yesterday by a Nun reporter in regard to the sys-

tem. He said: There are so many cases in which promut nmunication with the power houses must be made that we are placing along the outside of the tracks small signal boxes sunk to the level of the street. These boxes are about eight inches square and are from 500 to 700 | might millinte against the solidity of feet apart. There is an iron cover and a the argument I am making for Ducey, and waterproof galvanized cover, which, when I forbear. We hear from time to time that the raised, disclose an arrangement like a messenger call. These boxes are connected by electric cables with the power house from the Church; but what would be the consethe appointment of a new Commission. The which that particular stretch of cable is quence if Ducey should not continue to supgity appealed from this order to the General operated. In case of an accident, a blockade. port Satolil? Have you thought of that? or a lire which delays the cars, the conductor pulls a handle in the signal box a certain num- is very popular around town, as his achieve- auth her of times to denote the kind of trouble or

> "In the power house are two diels one for the up and the other for the down track.

RETAILING

Wholesale Prices.

The Poole Overcoat, in black or blue Kersey, 48 inches long, is unquestionably the most fashionable top-coat worn this season. We are selling a great many of them, but why shouldn't we at our price :

\$20.00.

This represents a saving of at least \$10 on the price asked by the average retailer.

How about an evening dress suit, gentlemen? At our price you can get one as good as the best of any tailor's for haif the money. Money refunded if dissatts fled with purchase,

C. KENYON CO.

Wholesale Manufacturers of Fine Clothing.

7 AND 9 WAVERLEY PLACE, N. Y. Two Blocks Below Ninth St., Three Doors OPEN SATURDAY EVENING.

A DEFENCE FOR DUCKY.

Should be Sustained.

TO THE FOITOR OF THE SUN-Sir: I am not a pillar of the Catholic Church, I have not even the subordinate privilege of leaning against one of the pillars. I admire from a distance the distinguished men who stand in the front rank of the laity. They form an aristocracy that do not need a McAllister to endorse them. They are true representatives of what is best in the Church; and I would be the last to pick a flaw in their titles to the distinction they have earned so well, and which they bear with so much dignity.

I am only an outsider, but as such I claim the right to stand up for the support of those who contribute to the public entertainment. Hence, though I cannot strictly call myself a friend and admirer of Thomas Ducey, the irrepressible assaifant of our local Catholic authorities, yet I desire to enter a plea for a responsive hearing for him, a hearing that will insure to him a more permanent engagement on our municipal boards than now seems probable.

What I object to is the indifference shown to his attacks by Archbishop Corrigan and assistants. Now if this continues where will Ducey be? He cannot carry on the fight solus, although it may be said that an Irishman can make a fight all alone by himself. There is one thing to be said to the infinite credit of Ducey, namely, where he has no ground for attack he manufactures one on the spot. Somebody has come to him and said that some one else has read in some newspaper of a Satol!! slight; then the great champion sallies forth, falls to, and slays his men in buckram.

Den Quixotte fought the windmills arrayed against him with much historical delat: but I uppose no one but a true Milesian. like Ducey, could be found fighting his own windmill set in operation for the purpose. We have all been instructed by Ducey as to the way he made Satolli, and how miscrably Satolli would have failed but for the influence of Ducey. The credentials of the Sovereign Pontiff, respected and revered throughout Catholic Christendom, which Mgr. Satolii bore, counted for nothing. The good offices of Cardinal Gib-bons, Archbishop Iroland, and the other dignitaries of the Church counted for nothing. Duceydid it all. Satolli would have had no footing in this country but for Ducey's influence with the press. A line from Mother Goose occurs to me just here; but it Pope intends to sustain Fatolli, to the last extremity, with all the power and authority of

The man who broke the lank at Monte Carlo is very popular around town, as his achievement is so successfully celebrated in song. ment is so successfully celebrated in song. But I am apprehensive that the man who made Satolli as it is told by bimself so often, in story, does not receive that steadiness and

"In the power house are two dials, one for if the up and the other for the down track. These dials are divided into cight points." Stop, "Start," Tension off, "Test," Tousion on, "Wagon," Telephone, and "Fire" respectively. By means of the dials the engineer on duty knows exactly what to do. The number of strokes on the gong connected with the dials are registered on an endless tape, so in case he misses count, he can read the strakes on the tape. An electric communication is also automatically made with all the powerhouses, no matter to which one the alarm is sent. We began laying the line of wires has spring, but the form of the calle road, and we are therefore not for business purposes, but are the form of the calle road, and we are therefore not forest for his formal dials. We have a line of this electric communication at present operating from Fifty-inoth street to how how in the bouring Green.

"We hope in the future to rist the signal boxes so that they may be connected with portable telephones to be carried by the appeals in the future to rist the signal boxes so that they may be connected with portable telephones to be carried by the appeals in the future of rist the signal boxes so that they may be connected with portable telephones to be carried by the appeal of the dials of the way in which he appeal on the all the matter. Saveril systems have been suignified.

"We hope in the future to rist the signal boxes so that they may be connected with portable telephones to be carried by the appeal of the cable coal be sent in immediately suiting and the steam from the cable will be sent in immediately appears have been suignified.

"We hope in the future to rist the signal box the comment an accident occurs. As yellowed the cable of the terminal wines and the sent of the cable cold in the suiting of the portable telephones to be carried by the appeal of the cable cold in the suiting of the steam from the cable off the terminal wines and the same from the cable off the terminal wines and the same from the ca

The same darks will soon be put in at Thirtysixth street.

TO SIOP THIRD-TRACKING.

The City asks for an injunction Against the
Manhattan Lievasted.

Application was made to Judga Beach yesterday by Assistant Corporation Counse! The
odure Connolly for an order requiring the
Manhattan Lailway Company to show cause
with it should not be raisoned from the furity
construction of a third track on its Ninth avanuo elevated line. The order was granted and
it made returnable on the h. The weak of construction has been stoneed because of a lack
of fror, and no temberary influenced was
granted.

The construction of the Manhattan Lievaster has no
bridged to construct two tracks, and no
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solves a first and and statement of the present condition
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of the visit and the present condi Ninth account, and states that if is a graff respect a proper structure for spatial constitution of electricity of trains at a high rate of special are befored the difference between a solidar or surfed and a track as those forms are understood almong ratiway men.

Neurasteciae, the Great Newige.

mission against his own Government. He grows by what he feeds on, so that on each occasion that he publishes his swashbucker assaults, he becomes more bold and defiant. Yet, strange to say, he is only a priest, and no more entitled to staik up and down on the public stage threatening the constituted authority of the Church than the most conscientious, meek and lowly, but loyal and devoted, servitor in the priestly ranks of the Lord and Saviour. Does any one believe that Archishop Vaughan would tolerate Ducey in the discesse of the continuous and the continuous and the cathedral property. If these should to morrow don the robes of r. If these should to-morrow don the robes of r. If these should to-morrow don the robes of r. If these should to-morrow don the robes of r. If these should to-morrow don the robes of r. If the should have any responsibility. The once powerfully disciplined Catholic thurch has come to this. It has come to Plucey, but all this constitutes thucey's attractiveness. Everybody wants to see what he will do next.

What a needless fuss has been made about Ducey having no right to the life of Monsignor, with which title he has been so long and so grandly sparaded. He says he did not call himself a Monsignor, he only allowed every one to think of him and address him as Monsigno. This is an important distinction. Ducey as the title of Monsignor has been conterred, on him by the country that not taken a hand in it, and become notify the country in conferring a few courtesy of our country in conferring a few courtesy of our country in conferring a few courtes and much to be common the title, bogus title have become so common that such a little matter as assuming to be a Monsignor is not worth mentioning. Monsignor that explanation as to have he falled to be favested with the title, if, indeed, it has any importance active nears. Prince of the Church, which have hat explanation as to have he falled to be favested with the title, if, indeed, it has any importance active a grateful country has conforr

AN INTERESTED OUTSIDER. NATIVE-BORN MUSICIANS ONLY. The American Symphony Occhestra to Give

The American Symphony Orchestra has been organized with the patriotic purpose to show the musical world that there is talent enough among native-born musicians to form an orchostra of high straidard.

The director of the orchestra will be Sam Franko, who will also be President of the Board of Directors. Charles Kurth is secre-Board of Directors. Charles Kurth is secretary of the Board, and the other directors are Carl Hauser, Febra Leifels, Henry P. Schmitt, Emit Kuell, and Max Nassauer.

The dates and places of the introductory concert will be decided upon next week. There will be at least three concerts, beginning early in January. Mr. Franko said yesterday:

"There have been many attempts to introduce American talent in musical art. Mrs. Thurber has devoted thus, money, and energy to attain this end. Mr. Vander Stucken has tried repeatedly to bring American commoners testered public. All this met with more or less success.

fore the public. All this met with more or less success.

"There is one field in musical art which has not been invaded, and that is the field of music of the highest standard interpreted by American born musicians. It has been believed for years that our grand orchestras are made up of musicians who received their musical education and training in the conservatories and orchestras of Europe. That the Philharmonic Society has among its praminent members men born and musically educated in this dountry is not generally known. This fact having been noticed by several American invisions, the American by mythony Orchestra has usen formed. There will be auxir-five members of the orchestra all Symphony Orchestra has been formed. Thers will be sixty-five members of the orchestra. a) of whom are native born Americans of talent. None of the members of the orchestra not even the leader, is to receive a salary. Mr. Franko is a violinist and a conductor of experience. He studied under Joachim and Vietzen years ago. Before returning to this county he played with Benjamin induct. Saint sachus Ovide Musin, Mme. Viardot Garcia, Hamborland, and Hamborland Garcia, Hamborland of Markot Patti. In this country he has appeared in many concertence and the desired and theodore Thomas.



has no terrors and warm weather no discomfort for the wearers of "Jaroa." This underwear absorbs all moisture-preventing chilling-and is guaranteed not to shrink or irritate.

Stout or thin, tall or short, man, woman, or child-all can Can Cars to Tales Avens Nest Monday. be properly fitted, and at moderate cost, too.

CAPT. DEVERY GIVES BAIL.

POLICE CAPTAIN DOHERTY HAS GOT A PARKHURST LETTER.

Other Captains Said to Have Been Similarly Pavered Superintendent Byrnes Reports on His Effects to Enteres City Ordinaness Police Captain William S. Devery, against whom the Grand Jury found, on Wednesday four indictments for misdemeanor in know-ingly allowing to exist the disorderly houses at 70 Eldridge street, 109 Forsyth street, 81 Eldridge street, and 33 Chrystie street, entered the District Attorney's office at 1:30 yesterday afternoon. He said he had just returned from Chicago, where he had gone to spend a part of twenty days' leave of absence Inspector Williams and Peter Gerard Stoppers of 340 West Twenty-eighth street accompanied him. Capt. Devery gave \$5,000 bail. He has

of 340 West Twenty-eighth street accommanied him. Capt. Devery gave \$5,000 bail. He has fifteen days of his leave left, and unless otherwise ordered be will not report for duty until then. He is to appear in furt L of the General Sessions on Wednessay to plead to the Indictments.

The four indictments respectively charge Capt. Devery with wilful omission to perform a public duty required of him by law, Each of the indictments, under section 154 of the Penal Code, charges a misdemeanor, punishable with imprisonment in the pentientary for one year and allne of \$500. In addition to this punishment, in the case of a police officer the conviction would operate to remove him from office and permanently disqualify him from holding public office again.

Capt. Poherty of the Past Fifth street station was a frequent caller at Folice Headquarters pesterday morning. Superintendent Byrnessaid he had heard that a letter signed by Dr. Parkhurst and Lawyers Moss and Kenneson had been left at the station house the other night by two men. Capt. Deherty admitted that the letter was from the Parkhurst society and that it contained a list of thirty-five alleged disorderly houses and gambling places and a warning to him in reference to the same. All these places have been recorded in Capt. Beherty admitted that the letter was from the Parkhurst society and that it contained a list of thirty-five alleged disorderly houses and gambling places and a warning to him in reference to the same. All these places have been recorded in Capt. Beherty's official record. He saws many of them have been raided, and those that have not been will be when sufficient evidence can be obtained against them.

It was reported yesterday that some other Captains had received letters from the Parkhurst society.

TRIED TO ENFORCE THE ORDINANCES,

Superintendent Byrnes Inclined to Refer the City Improvers to Police dustice Hogan, Superintendent Byrnes reported to the Police Board yesterday the first fruits of lifs latest attempt to enforce the corporation ordinances of violations of which the City Improvement Society continually does cry. He sent out a detailed general order to the force on Nov. 27. The next day Patrolman Mourath of the Prince street station arrested Phillip Wright for obstructing the sidewalk in front of 435 Canal street with second-hand stoves, pots. hardware, &c., and took him to Jefferson Mar-ket Court. Justice Hogan discharged the ket Court. Justice Hogan discharged the prisoner, with the remark that the case was a civil case and that the prisoner should have been reported to the Corporation Attorney for violation of the city ordinances instead of having been arrested.

Superintendent Byrnes then quoted section 274 of the Consolidation act, which says:

The several members of the prime force shall have power and authority to immediately arrest thy person who shall commit of threaten, or attempt to commit in the presence of such member, or within his view, any breath of the search of diense directly problinted by act of the Legislature or by any ordinance of the city.

In conclusion the Superintendent said that

in the presence of such manifer, or within his view, any research of the legislature or by according to the legislature or by according to the legislature or by any ordinance of the city. In conclusion the Superintendent said that under the law and by reason of his special order it was the right and duty of Patrolinan McGrath to make that arrest.

"It the courts," he concludes, "do not sugarint the officers of this department in the lawful discharge of their duty, and in their efforts to enforce the ordinances of the city, the violations complained of case of the research of the police Department for alleged neglect of duty was very unust.

In reading the annual report of the Police Department not long ago," he said, "I remember that the statistics showed there had been over 85.00% narrests during the year. Nineteen thousand persons were arrested for disorderly conduct, over 60% arrests were made or excise violation and 630 disorderly houses and gambling saloons were raided and over 5.00% princeness taken in connection therewith, and yet the police get no credit for their work. But let an outsider, a representative of some society if you will, cause an arrestor appear in a case and the newspapers teem with columns of lauditory comment. I say, and so will every other man who speaks the truth, that this city has the most efficient police department in the world. In no other city is life and property as safe ashers. You see if exempished every day, People go to the West and other parts of the country, told for years and get tich and then come and settle in this citr. Why is this? Simply because they know that nowhere in the world on their interests and rights be protected as well as in this city." Heretwiers a patrolinan in each precinct has been definited specially to look after violations of the corporation ordinances. Presiden

Transfers—Richard J Mollen Madison efrect to East Naxy seventh street, "burier I, Philippa, Central office to Fast 120th street, deraid to Mara, Merrer alrest to West Maty eighth street, Faston, I, Saudia, repair corps, the massigned to pation duty by the Superin-ter Aco.

POLICEMAN SMITH VERY DRUNK.

Fellow Pollecmen Lash His Mands to a Broomstick and Lay H'm Away.

Policeman W. D. Smith of the Adams street station in Brooklyn was relieved from duty at 6 o'clock on Thanksgiving morning. Four hours later Capt. Campbell found him in a glorious state of intoxication in the loft over a solven close by the station. Policemen Lun-ker and Dominick O'Comor had shortly be-fore this found their associate in the barroom, and he became so vicient that they tasked his arms and hands behind his back to a broom-stick and carried him up stairs, intending to keep him in that condition until his return to solviety. The arrival of the Captain spoiled their plans. The Captain had Smith locked up at the station, and his two benevolently disposed companions were suspended pending an investigation by the Commissioner.

general series of the sixth floor. He was stand outside on the series of the sixth floor. He was stand outside on the series of the sixth floor. He was stand outside on the series of the sixth floor. He was stand outside on the series of the sixth floor. He was stand outside on the series of the

Sames Whittendale by fracturing his skull, and attraigned restoring in the General Sections. They breaded not guilty, and Recorder Smath committed them to the Tombs trawning that these the indictment was found on Wednesday Mannis, turn and Gernghity were but to the Tom's as they should have been because their cuber bed guest before unified being the buy reme court. Chambers, and obtained their release on a writ of baheas curpus on the ground that the evidence scalass them has the obtained. As soon as Defrict Attorney Shoul curred of this fact he telephaned to Eugenmistantheory Bread carrested on Wednesday evening.

Prison s in Front of a Tra a.

A laker's wagon was enught between the gates at the Clifton avenue crossing of the Morris and Essex Halfroad, in Newark, at the Morris and Essex Bailroad in Newars, at a colocia restorday morning, and the horse was killed, the wagen demolished, and Edward West the boy who was delving was nonmentarily stories and tadis invised. He was able, however, to go back to the shop of his employer, house to chart to the shop of his employer, house to chart to the shop of his employer, house to chart to the board when he approached the tracks, and after he drawe from the er could be said. If the patential to a train rapidly approximing, its count mainly approximiting for count marks have seculed it he said. If the gateman had not low-ince the gates shutting hou in area the train secule the gate could be again lifted the train secule the gate would be again lifted the train secule the gate was the was thrown the gates.

The able system of the Third Avenue Bailread Company will be opened on Monday Send for catalogue and samples.

Sal Broadway, Kear 13th St.

sternoon. Cars will leave 18th street at 2 o'clock to convey guests over the route to Sixth street, and will return to the bixty-fifth street depot for an inspection of the power plant.



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MRS. E. J. HENLEY GETS A DIFORCE,

Henley Is To Re a Witness in Amy Rouse cault's Divorce Suit,

Mary H. Henley, an actress under the name of Mary Hampton, obtained from Judge Me-Adam of the Superior Court yesterday a decree of absolute divorce from Actor Edward J. Hen-ley, now in the A. M. Palmer stock company. Henley, who did not defend, is directed to pay the plaintiff \$500 a year. They were married on Dec. 45. 1890, and have no children. De-tectives testified that they had followed Henley on Sept. 23 and Oct. 14 last to the Medallion Hotel. He was accompanied each time by lion Hotel. He was accompanied each time by a woman whose name they did not know, but they were sure she was not the plaintiff.

An order for the examination of Edward J. Henley on commission at Nashville. Tenn, in the action brought by Amy Boucleault for an absolute divorce from Aubrey Boucleault was issued by Justice Beach of the Surreme Court yesterday. Mrs. Boucleault charged her husband in the suft with intimacy with Victory Eateman and Ada Dougan. Henley is to be examined there before Lytton Taylor when the l'aimer stock company plays next at Nashville.

the Faimer stock company plays next at Nashville.

Justice Ingraham of the Supreme Court has
given Edwin L. Fond an absolute divorce from
Annie Fond. They were married in 1859. His
complaint charged her with intimacy with
Eimer Clark, an athlete, but the evidence did
not identify the man she was found with.
Fond took John Pearl and Charles Burke with
him to a flat at 240 Fast 125th street, occupied
by his wife, on Aug. 15 last, and broke in the
door. Fond comes from Rochester. He eloped
with the defendant, Annie Weston, who was in
a candy store at Newark, and married her at
midnight.

Judge McAdam has granted judgments of
absolute divorce in these cases: To Leonora
Turner from John W. Turner, to Emma
E. Thimme from Lorenz Thimme, to Evelyn
T. Benners from Samuel C. Benners, to Hannah Levy from Nathan Levy, to Benjamin E.
Frocheimer from Angie C. Frocheimer.
Max Wahman from Elsie Wahman, to Charles
H. Radecke from Lucy Radecke, and to Elia L.
Hynes from Thomas J. Hynes. He has annuited the marriage of Amelia Blinks and
George Blinks.

HELPED THROW THE TEA OVERBOARD. Thomas Williams's Grandson Will Attend

the Anniversary Dinner. The celebration of the anniversary of the Boston tea party at Delmonico's on Dec. 16 by the New York Sons of the American Revolution will be attended among others by Robert S. Williams, President of the Oneids National Bank of Utica, a member of the society, and by his son, Prof. Williams of the Johns Hopkins University. Mr. Williams is a grandson of Thomas Williams, who helped throw overboard the tea

Thomas Williams, with his younger brother, Ezekiel, and his future brother-in-law, Thomas Dana, Jr., sided in preparing Indian costumes for that raid on the British tea ships. The for that raid on the British tea ships. The Boxbury men met at his father's house, whence, having donned their disguises, they started for Boston. It is a family tradition that from that hight Thomas Williams never drank a cup of tea. He considered the oath then taken as binding for life. He did good service that hight in breaking tea chests. He was afterward a minute man in Capt. Moses Whiting's company at Lexington, and helped drive the British back into Boston. Thomas and Ezekiel Williams after the war became financially embariassed. They removed to New Hartford, N. L. and built a house, which is still standing, and having prospered in their new home they were tanners they took their first savings and walked to Framingham. Mass. In the winter and paid off all their limitities.

William Williams, son of Thomas and father of Robert S. was a printer. Thurlow Weed was employed in his office at one time, and balker is the standard there. Mr. Robert S. Williams has been a banker since 1854, and is President or director in several enterprises at Utica.

damped a d Fell from Windows. John Burns, 25 years old, of 18 West street,

was instantly killed early resterday morning

George Lingard, formerly bookkeeper for Christian A. Sehmidt, manufacturer of 440 West Fourteenth street, planded guitt yesterday in the General Sessions, better Recorder Smyth, of forging the agnature of his employer to a number of the bar for a non-tier tearlied National Bank. It has been a long many years and his raises to distinct that way, but heret forge to have example patheness. This time he get nine years in the country.

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